

**Illinois Department of Insurance**  
**Meeting Minutes [Public Act 099-0480](#)**  
**Working Group Regarding Treatment and Coverage of Substance Use Disorders and**  
**Mental Illness**  
**Open Meeting**  
**Wednesday, March 11, 2020**  
**1:30 p.m. to 3:00 p.m. CST**

**Video Conference location:** Illinois Department of Insurance Video Conference Room at 122 S. Michigan Ave., 9th Floor, Chicago, Illinois 60601.

**Video Conference location:** Illinois Department of Insurance Conference Room at 535 W. Jefferson Street, 4<sup>th</sup> floor, Springfield, Illinois 62767.

**Call-in Information**

312-535-8110

Code: 806 801 498

**In Attendance:**

- Audrey Smith
- Sara Howe
- Tom Britton
- David Applegate
- Kelly Epperson
- Jud DeLoss
- Renee Popovits
- Lia Daniels
- Laura Minzer
- Kevin Smith

**Facilitators in Attendance:**

- Kate Morthland, DOI
- Sara Stanberry, DOI
- Ryan Gillespie, DOI
- Michelle Baldock, DOI
- Erica Weyhenmeyer, DOI
- Brian Gorman, DOI
- Laura Pellikan, DOI

**Welcome**

- Kate Morthland welcomed all attendees, clarified the structure of the meeting. The Illinois Department of Insurance (DOI) manages the oversight of, and provides staff support for, the Working Group in coordination with the Department of Human Services (DHS), the Department of Healthcare and Family Services (HFS) and the Department of Public Health (DPH).

**Introductions**

- Chicago, Springfield, and call-in guests introduced themselves and a sign in sheet was circulated.

### **2019ACA Open Enrollment Overview**

- Kate introduced Brian Gorman and Laura Pellikan to present on the 2019 ACA Open Enrollment Overview. Brian Gorman and Laura Pellikan presented statistics from the 2019 ACA Open Enrollment Period.

### **Feedback from Committee Testimony**

- Kate Morthland provided feedback on DOI testimony to the Senate Opioid Abatement Committee regarding our work around Benchmark Plan Changes. In 2018, the Department obtained approval from CMS for 5 critical changes to the Illinois Essential Health Benefit (EHB) Benchmark Plan to address opioid use disorder treatment. Beginning in 2020, private health insurance companies offering plans on the individual (health insurance offered to individuals) and small group markets (group health plans maintained by a small employer) will be required to limit opioid prescriptions for acute pain and cover alternative therapies for pain. Illinois is the only state to change the EHB Benchmark Plan.

The new plan:

- i. allows alternative therapies for pain,
- ii. limits opioid prescriptions for acute pain,
- iii. removes barriers to obtaining Buprenorphine products for medically assisted treatment (MAT) of opioid use disorder
- iv. covers prescriptions for at least one intranasal spray opioid reversal agent when initial prescriptions of opioids are dosages of 50MME or higher, and
- v. covers tele-psychiatry care by both a prescriber and a licensed therapist.

DOI is committed to pushing the state through progress in achieving mental health and substance use disorder parity. The Department is currently looking to utilize grant funding to track the success of these benchmark plan changes. Utilizing funding to track 2020 Benchmark plan changes would provide critical metrics and information that may be used to measure both success and future opportunities. This information can provide us with metrics at a state level, as well as different geographical areas. However, it is important to note that metrics will not be measurable in the short term as the benchmark changes to the impacted plans did not go into effect until Jan 1, 2020.

- The Committee was interested in the effect of the benchmark changes. DOI is working to direct grant funding to access ways that we can track these changes and their effectiveness.
- No other agency was present to give feedback.

### **Next Steps/ Discussion**

- Renee Popovits expressed the importance of having all agencies at the table in order to effectively come up with solutions to ensure mental health parity. DOI will reach out to HFS and DHS to ask them to participate at the next meeting.
- Members discussed the need for a portal where one person can go to cite a parity violation. It is currently too confusing for the consumer. Additionally, members discussed the need for a shorter turnaround time for medical necessity. 21 days is not long enough. DOI expressed that any change to the review process would need legislative action.
- Members inquired on the status on the standardized reporting formation and work of the Parity Data Workgroup created by 215 ILCS 5/370c.1. Kate Morthland provided an update. The 2020 Mental Health Parity Working Group first convened on February 28, 2020. The next steps for the group include the Kennedy Forum will send New York and Pennsylvania templates to the Working Group. The Working Group will then send feedback to Group by March 17, 2020 close of business. The next meeting will be held on March 27<sup>th</sup>, 2020 from 2:00-3:00 at both DOI offices in Springfield and Chicago. For more meeting times, you can access the Notice of 2020 Mental Health Parity Working Group Meetings Document posted on the DOI/ HFS website.
- Members had a discussion with DOI on external review processes.
- Members discussed the changing the external review process to make it more consumer friendly. DOI expressed that any statutory change would mean that the Working Group would have to reach out to a Representative or Senator willing to file legislation on the topic. The Working Group requested that DOI provide cites for authorities of the Department. DOI requested that a concise list be created for specific cites of authority. The Working Group members will provide DOI with that list.
- The Working Group requested the data or success for external review processes. DOI mentioned that they would be able to provide that information.
- The Working Group discussed legislation that would mandate insurance companies to print what type of plan the consumer has on the back of their insurance card. The Working Group will present Texas legislation that accomplishes that goal.
- The Working Group discussed an Ombudsman bill regarding complaint processes that was ran last year (HB122). The Working Group is checking after the March primary to see if that legislation will move forward.

### **Approval of Minutes**

- Approval of the November 27, 2018 MHSUD Working Group Meeting Minutes. A motion to approve the minutes was made and seconded.

### **Adjourn**

- Our next meeting is July 15, 2020 from 1:30-3:30 at both Springfield and Chicago Department of Insurance Offices. A call-in number will be provided as well.